

**March 2, 2004**

We concur:   Doi Todd, J.  
                   Ashmann-Gerst, J.

March 2, 2004 (Continued)

## DIVISION TWO (Continued)

B165081      People                                  (Not for Publication)  
v.  
Alistar Insurance Company

The judgment is reversed. Appellant shall receive costs on appeal.

Nott, J.

We concur: Boren, P.J.  
Doi Todd, J.

B165826 People (Not for Publication)  
v.  
Madrid

The Court:

The judgment is affirmed.

Nott, Acting P.J., Doi Todd, J., Ashmann-Gerst, J.

DIVISION THREE

B166846 People (Not for Publication)  
v.  
Jones

The judgment is affirmed.

Klein, P.J.

We concur:   Croskey, J.  
                      Kitching, J.

March 2, 2004 (Continued)

## DIVISION FOUR

B167174 People (Not for Publication)  
v.  
Stambaugh

The judgment is affirmed.

Curry, J.

We concur: Epstein, Acting P.J.  
Hastings, J.

B166796 Webb (Not for Publication)  
v.  
Department of General Services, et al.

The judgment is affirmed.

Epstein, Acting P.J.

We concur: Hastings, J.  
Curry, J.

B163886      Burton, et al.      (Not for Publication)  
v.  
Clark, et al.

The judgment is affirmed.

Epstein, Acting P.J.

We concur: Hastings, J.  
Curry, J.

March 2, 2004 (Continued)

DIVISION FOUR (Continued)

[illegible]

The judgment is affirmed. The request for sanctions is denied.

Curry, J.

We concur: Epstein, Acting P.J.  
Hastings, J.

B170608      Washburn, et al.      (Not for Publication)  
v.  
Superior Court, Los Angeles County  
(Goldsaker et al., r.p.i.)

The order to show cause, having served its purpose, is discharged. The petition for writ of mandate is granted. Let a peremptory writ of mandate issue instructing the respondent court to vacate its order of September 22, 2003, expunging the lis pendens, and issue a new and different order denying the motion to expunge. Petitioners are to recover their costs.

Epstein, Acting P.J.

We concur: Hastings, J.  
Curry, J.

B165663      Branch      (Not for Publication)  
v.  
Pierson, M.D.

The appeal from the judgment is dismissed as untimely; the appeal from the order denying the motion to set aside the judgment is affirmed. Respondent is to have his costs on appeal.

Epstein, Acting P.J.

We concur: Hastings, J.  
Curry, J.

March 2, 2004 (Continued)

DIVISION FOUR (Continued)

B169455      Fire Insurance Exchange, et al.      (Certified for Publication)  
v.  
Superior Court, Los Angeles County  
(Altman, et al., r.p.i.)

The petition for writ of mandate is granted only with regard to the finding of coverage for the cost to restore, replace, repair or rebuild land. The petition is denied with regard to the issue of increased costs due to changes in building codes. Let a writ issue directing the superior court to vacate only that part of its order based upon coverage for the cost to restore, replace, repair or rebuild land, and to enter a new order, finding that no cause of action is stated based upon the cost to restore, replace, repair or rebuild land. Each party shall bear its own costs.

Hastings, J.

We concur:    Epstein, Acting P.J.  
Curry, J.

DIVISION FIVE

Court reconvened at 9:00 a.m.

Present: Turner, P.J., Grignon, J., Mosk, J. and J. Belcher, Deputy Clerk.

Each of the following:

B170374 DCFS v. Aseyeshah K.  
B162164 People v. Pescador  
B165215 Lewschin v. Thomas

Argument waived, cause submitted.

B162825      Theresa Nixon, et al.  
v.  
California Department of Justice

Merits:  
Argued by William James Osborne for appellants and by David Neill, deputy attorney general, for respondent. Cause submitted.

March 2, 2004 (Continued)

DIVISION FIVE (Continued)

Court recessed at 9:20 a.m.

Court reconvened at 9:30 a.m.

Present: Turner, P.J., Grignon, J., Mosk, J. and J. Belcher, Deputy Clerk.

B168771     Milton Sandoval  
              v.  
              Surf City Backhoe & Equipment Rental Inc.

Merits:  
Argued by Paul W. Burke for appellant. Respondent waived oral argument.  
Cause submitted.

Court recessed at 9:35 a.m.

Court reconvened at 9:50 a.m.

Present: Turner, P.J., Grignon, J., Mosk, J. and J. Belcher, Deputy Clerk.

B163101     Shaina K.  
              v.  
              Does 1 to 100

Merits:  
Argued by Michael R. White for appellant and by Richard Rust for  
respondents. Cause submitted.

Court recessed at 9:55 a.m.

Court reconvened at 11:00 a.m.

Present: Grignon, Acting P.J., Armstrong, J., Mosk, J. and J. Belcher, Deputy Clerk.

Each of the following:

B164722 People v. Vega  
B166584 People v. Greenwood  
B168017 People v. Spikes

March 2, 2004 (Continued)

DIVISION FIVE (Continued)

Each of the following (continued):

B170171 DCFS v. Michelle E.

B169438 DCFS v. Bettina J.

Argument waived, cause submitted.

B170615      Walter Centeno

v.

Superior Court, Los Angeles County  
(The People, r.p.i.)

Merits:

Argued by Terri Lowery, deputy public defender for petitioner and by Jessica Goulden, deputy district attorney, for real party in interest. Cause submitted.

B162930      Vincent Pavelock, et al.

v.

Jack Kizirian, et al.

Merits:

Argued by Stuart B. Esner for appellants and by Roy G. Weatherup for respondents. Cause submitted.

Court adjourned at 12:05 a.m.

DIVISION SIX

B162920 Ocean View Estates Homeowners Association, Inc. (Not for Publication)  
v.  
Montecito Water District

The judgment is reversed with directions to the trial court to issue a writ of mandate ordering the District to vacate its decision certifying the MND. Costs are awarded to appellant.

Gilbert, P.J.

We concur: Coffee, J.  
Perren, J.

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The judgment (order of commitment) is affirmed.

Coffee, J.

We concur: Gilbert, P.J.  
Perren, J.

B167161      Ohashi      (Not for Publication)  
v.  
Simi Valley Hospital

The judgment is affirmed. Costs on appeal are awarded to the Hospital.

Coffee, J.

We concur: Gilbert, P.J.  
Perren, J.



March 2, 2004 (Continued)

DIVISION SEVEN

B167685      Clancey  
v.  
Twentieth Century Fox Film Corp.

Filed order denying petition for rehearing.

DIVISION EIGHT

B162228 Asawa (Not for Publication)  
v.  
99 Cents Only Stores, Inc.

The judgment is affirmed. Each party to bear its own costs.

Cooper, P.J.

We concur: Boland, J.  
Flier, J.

B170268 People (Not for Publication)  
v.  
Perez

The judgment is affirmed.

Cooper, P.J.

We concur: Rubin, J.  
Flier, J.

March 2, 2004 (Continued)

DIVISION EIGHT (Continued)

B166887      In re Sergio J.                      (Not for Publication)  
                         v.  
                         Los Angeles County, D.C.S.  
                         Sergio J., Sr.

The orders appealed from are affirmed.

Cooper, P.J.

We concur: Rubin, J.  
                 Boland, J.